Cr.R. No.102 of 2005.

26.11.2007 Present: Mr.L.K.Sehgal, vice counsel for the petitioner.
Mr.J.L.Bhardwaj, counsel for the respondent.

The petitioner before this Court was convicted by the learned Additional Chief Judicial Magistrate, Arki of having committed an offence under Section 138 of the Negotiable Instruments Act, 1881. He was directed to pay fine of Rs.5000/- and to return the amount of Rs.50,000/- which was the amount to be paid under the cheque. In default of payment of fine he was directed to undergo simple imprisonment for two months. This judgment was upheld by the learned Additional Sessions Judge, Solan and both the judgments are under challenge in this petition.

Now a joint application being Cr.M.P. No.579 of 2007 has been filed by both the parties submitting that a sum of Rs.55,000/- has been paid by the petitioner to the respondent and in view of this payment the parties have settled the matter and it has been prayed that the petition under Section 138 of the Negotiable Instruments Act may be ordered to be disposed of having been compounded.

In view of the fact that a sum of Rs.50,000/- being the cheque amount as well as Rs.5000/- as fine have been paid to the respondent and the parties have agreed that the matter may be compounded, both the judgments of the learned trial Court in Criminal Complaint No.18/3 of 1998 and of learned Additional Sessions Judge in Criminal Appeal No.14-A/10 of 2003 are set-aside and the matter is disposed of as having been compounded.

November 26, 2007 **(Deepak Gupta),**
PV **A.C.J.**